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10 **UNITED STATES DISTRICT COURT**
11
12 **FOR THE DISTRICT OF COLUMBIA**
13

14 _____)
15 **SECURITIES AND EXCHANGE**)
16 **COMMISSION,**)
17)
18 **Plaintiff**)
19)
20 **v.**)
21)
22 **DISCOVER CAPITAL HOLDINGS**)
23 **CORP., et al.,**)
24)
25 **Defendants**)
26 _____)

27 **03 Civ. 03-1496(RMC)**
28 **Unopposed Motion for Order**
Authorizing Final Distribution
of Funds to Investors

29 **UNOPPOSED MOTION FOR ORDER AUTHORIZING FINAL DISTRIBUTION**
30 **OF FUNDS TO INVESTORS**

31 COMES NOW, Nancy R. Grunberg, appointed Distribution Agent in the above-
32 captioned matter, and files this Unopposed Motion for Order Authorizing Final Distribution of
33 Funds to Investors and in support of such states as follows:

- 34 1. On December 14, 2005, this Court granted the Commission's motion to appoint Nancy
35 Grunberg, Esquire, of the law firm of Venable, LLP, to act as Distribution Agent for the
36 purposes of distributing all funds collected in the matter and deposited into the court registry.
37 On July 10, 2006, the Court approved the Distribution Agent's proposed distribution plan. In
38

1 that order, the Court directed that the Distribution Agent distribute funds in accordance with the
2 distribution plan and coordinate with Damasco & Associates ("Tax Administrator"), the
3 appointed tax administrator in this matter concerning payment of tax liabilities on the settlement
4 fund and any fees incurred by the Tax Administrator in carrying out its duties. The Tax
5 Administrator has been informed of the proposed payment plan and has no objection.

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7 2. The Distribution Agent has allocated the balance of the Discover Capital Custodial
8 Account among eligible Claimants pro rata, based on the amounts of their claims. The proposed
9 payment plan is attached as Exhibit A.

10 3. The Distribution Agent has provided a copy of the attached proposed payment plan to
11 the staff of the SEC, and was subsequently informed that the SEC staff has no objection to this
12 Motion for an Order Authorizing Final Distribution of Funds to Investors in accordance with the
13 proposed payment plan.

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15 4. The Distribution Agent now seeks authorization to distribute funds as detailed in the
16 payment plan.

17 **CONCLUSION**

18 WHEREFORE, the Distribution Agent respectfully requests that this motion be granted.

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20 Dated: December 14, 2007

Respectfully Submitted,

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22

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Distribution Agent

CERTIFICATE OF SERVICE

I certify that true and correct copies of the foregoing Unopposed Motion for Order Authorizing Final Distribution of Funds to Investors, was served on December 14, 2007, by mail, on the following:

Arthur S. Lowry
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Executed on December 14, 2007

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